

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION**

ROBIN MESEY and JENNIFER MESEY,)

Plaintiffs,)

vs.)

Case No. 1:19-CV-71 SNLJ

CITY OF VAN BUREN, MISSOURI, et al.,)

Defendants.)

**PLAINTIFFS' SECOND MOTION FOR EXTENSION OF TIME TO FILE
RESPONSES TO DEFENDANTS CITY OF VAN BUREN, MISSOURI AND
ALONZO BRADWELL'S MOTION FOR SUMMARY JUDGMENT
AND
DEFENDANT CHARLES ROPER'S
MOTION FOR SUMMARY JUDGMENT**

COMES NOW Plaintiffs Robin Mesey and Jennifer Mesey (collectively the "Plaintiffs"), by and through their attorney, and for their Second Motion for Extension of Time to file Responses to Defendants City of Van Buren, Missouri and Alonzo Bradwell's Motion for Summary Judgment and Defendant Charles Roper's Motion for Summary Judgment and states to this Honorable Court the following:

1. On December 3, 2020, Defendants City of Van Buren, Missouri and Alonzo Bradwell filed a motion for summary judgment. (Doc. #30).
2. On December 4, 2020, Defendant Charles Roper also filed a motion for partial summary judgment. (Doc. #33).
3. Plaintiffs' filed a first motion for extension to file their responsive filings to both motions for summary judgment that was granted by this Court making Plaintiffs' responsive filings due tomorrow, Tuesday, February 16, 2021.

4. Counsel has been working diligently on Plaintiffs' responsive filings to the best of his physical ability, despite a minor setback in counsel's health.

5. First, due to the cold and inclement, the undersigned has not been able to make it to his office since early last week; with the snow today in St. Louis, it will be the end of the week before the undersigned will be able to return to his office.

6. There are tangible items in this case's file at counsel's office that may be responsive to the motions for summary judgment.

7. Additionally, the undersigned has long-suffered from pinched nerves at each elbow; surgery was suggested, but counsel chose to treat by medication because post-op requires 3-4 weeks in a cast, one surgery per arm at a time; these very low temperatures cause tremendous pain, making it difficult to type.

8. Second, the undersigned has a reply brief due (today; motion for 3-week extension filed for but not ruled on as of yet) in the Western District of Missouri Court of Appeals on an appeal from a PCR motion stemming from a murder conviction in the matter of: *Tausha Fields vs. State of Missouri*, Appeal No. WD83230.

9. As a result of the foregoing, Plaintiffs seek a second extension of 21 days to file responses to both motions for summary judgment.

10. Plaintiffs respectfully request this extension of time to file responses to both motions for summary judgment by **March 9, 2021**.

WHEREFORE, for the foregoing reasons, Plaintiffs respectfully request this Honorable Court grant their Second Motion for Extension of Time to file Responses to Defendants City of Van Buren, Missouri and Alonzo Bradwell's Motion for Summary Judgment and Defendant

Charles Roper's Motion for Summary Judgment and for such other and further relief as this Court deems just and proper under the circumstances.

Respectfully submitted,

SCHOTTEL & ASSOCIATES, P.C.

BY: s/James W. Schottel, Jr.

James W. Schottel, Jr. #51285MO
906 Olive St., PH
St. Louis, MO 63101
(314) 421-0350
(314) 421-4060 facsimile
jwsj@schotteljustice.com

Attorney for Plaintiffs
Robin Mesey
Jennifer Mesey

CERTIFICATE OF SERVICE

I hereby certify that on February 15, 2021 the foregoing was filed electronically with the Clerk of Court to be served by operation of the Court's electronic filing system upon the following:

Damon S. Phillips
damon@kpwlawfirm.com

Ty Z. Harden
ty@kpwlawfirm.com

Attorneys for Defendants
City of Van Buren, Missouri
Chief Alonzo Bradwell

Portia C. Kayser
pkayser@fpsslaw.com

Attorney for Defendant
Charles Roper

s/James W. Schottel, Jr.